



#RCE JPW

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

To Commissioner For Patents

Please enter the following submission and withdraw the finality of the proceeding office action or withdraw any pending appeal and reopen prosecution before the Examiner.

|                        |                   |
|------------------------|-------------------|
| Application Number     | 09/739,475        |
| Filing Date            | DECEMBER 18, 2000 |
| First Named Inventor   | LARRY J. ESHELMAN |
| Group Art Unit         | 2165              |
| Examiner Name          | HASSAN MAHMOUDI   |
| Attorney Docket Number | US000349          |

This is an RCE under 37 C.F.R. § 1.114 of the above-identified application (which is made prior to: payment of issue fee; abandonment; notice of appeal to the CAFC; or commencement of civil action under 35 U.S.C. 145 or 146.)

1. **Submission required under 37 C.F.R. § 1.114**

a. ☒ **Previously submitted**

i. ☒ Consider the supplemental amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on August 15, 2005, (Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. **Enclosed**

i. ☐ Preliminary Amendment

ii. ☐ Affidavit(s) Declaration(s)

iii. ☐ Information Disclosure Statement

iv. ☐ Other \_\_\_\_\_ (may not be a brief)

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (May not exceed 3 months; Fee required per 37 C.F.R. § 1.117(i))

b. ☐ Other \_\_\_\_\_

3. **Fees**

a. ☒ The Commissioner For Patents is hereby authorized to charge all required fees except the issue fee or credit any overpayments, to Deposit Account No. 14-1270

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                        |                                   |                |
|-------------------|------------------------|-----------------------------------|----------------|
| Name (Print Type) | Larry Liberchuk        | Registration No. (Attorney/Agent) | 40,352         |
| Signature         | <i>Larry Liberchuk</i> | Date                              | Sept. 20, 2005 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Alexandria, VA 22313, or facsimile transmitted to the U.S. Patent and Trademark Office tel# : \_\_\_\_\_ on the date below:

|                   |                    |
|-------------------|--------------------|
| Name (Print Type) | Noemi Chapa        |
| Signature         | <i>Noemi Chapa</i> |
| Date              | 9/22/05            |

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